

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION

JIMMY D. SHINN

PETITIONER

V.

CIVIL NO. 1:12CV116-SA-DAS

STATE OF MISSISSIPPI

RESPONDENT

ORDER ADOPTING REPORT AND RECOMMENDATION

On consideration of the file and records in this action, the court finds that the Report and Recommendation of the United States Magistrate Judge dated December 27, 2012 was on that date mailed to the petitioner. The parties were allowed until January 10, 2013 in which to file objections to the report and recommendation; that more than fourteen days have elapsed since service of the Report and Recommendation; and that no objection thereto has been filed by the parties. The court is of the opinion that the Report and Recommendation should be approved and adopted as the opinion of the Court. It is, therefore,

ORDERED:

1. That the Report and Recommendation of the United States Magistrate Judge dated December 27, 2012 is hereby, approved and adopted.
2. That this action should be and it is hereby dismissed without prejudice for failure to exhaust state court remedies.
3. This case is CLOSED.

SO ORDERED this the 31st day of January, 2012.

/s/ Sharion Aycock  
U.S. DISTRICT JUDGE